

"Whereas, in 1980, the late Commerce Secretary Brown became the chief counsel to the U.S. Senate Committee on the Judiciary; and

"Whereas, in 1981, the late Commerce Secretary Brown became a partner in the Washington, D.C. law firm of Patton, Boggs and Blow; and

"Whereas, in 1988, the late Commerce Secretary Brown acted as the senior political advisor to the Dukakis-Bentsen Campaign for President; and

"Whereas, in 1989, the late Commerce Secretary Brown became Chairman of the Executive Committee of the Democratic National Party; and

Whereas, in 1993, after these years of distinguished service to the United States of America, to the Democratic National Party, and to his community, Ronald H. Brown was appointed by United States President Bill Clinton to be Secretary of Commerce; and

Whereas, the late Commerce Secretary Brown achieved the utmost respect as a member of President Clinton's cabinet; and

Whereas, the people of Palau are deeply saddened by the unfortunate and untimely death of the late Commerce Secretary Brown; now therefore, be it

*Resolved*, That the House of Delegates of the Fourth Olbil Era Kelulau, Fourteenth Regular Session, April 1996, the Senate concurring, hereby expresses condolences to the family, relatives and colleagues of the late United States Secretary of Commerce Ronald H. Brown for his tragic and untimely death; and be it

*Further resolved*, That certified copies of this joint resolution be transmitted to Charge d'Affairs Richard Watkins, the President of the Republic of Palau, and the Speaker of the House of Delegates and the President of the Senate of the Fourth Olbil Era Kelulau.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. MURKOWSKI:

S. 1851. A bill to convey certain Public lands in the State of Alaska to the University of Alaska, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. JOHNSTON:

S. 1852. A bill to bar class action lawsuits against Department of Energy contractors for nonphysical injuries, to bar the award of punitive damages against Department of Energy contractors for incidents occurring before August 20, 1988, and for other purposes; to the Committee on Energy and Natural Resources.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MURKOWSKI:

S. 1851. A bill to convey certain Public Lands in the State of Alaska to the University of Alaska, and for other purposes; to the Committee on Energy and Natural Resources.

THE UNIVERSITY OF ALASKA LAND GRANT ACT

• Mr. MURKOWSKI. Mr. President, today I introduce legislation in support of higher education in the State of Alaska.

Mr. President, the University of Alaska is a land-grant college without

the land. In 1915, Congress reserved for Alaska's land-grant institution potentially more than 250,000 acres in the Tanana Valley, proceeds from the sale and development of which—like other land grant institutions—would help finance the operation of the school. Under the terms of the measure, written by Delegate James Wickersham, the college was to receive surveyed and unclaimed Section 33 in an area of about 14,000 square miles between Fairbanks, AK in the north and the foothills of the Alaska Range in the south, this was in addition to the main campus of about 2,250 acres 4 miles from Fairbanks.

However, this large Tanana Valley land grant never materialized. For decades, almost all of the land in the Tanana Valley (like the rest of Alaska) remained unsurveyed and therefore unavailable. As late as the 1950s, only 0.6 percent of Alaska had been properly surveyed under the standard rectangular system, and a territorial report concluded that at the speed Alaska was being surveyed, it could take as long as 43,510 years to complete the job. Due primarily to this incredibly slow pace of Federal land surveys, Alaska's land grant institution received only a fraction of the land Congress reserved for it in 1915; in addition to its 2,250 acre campus, the University of Alaska received less than 9,000 acres out of a reservation created for it totaling approximately 268,000 acres.

To partially remedy the situation, Congress granted an additional 100,000 acres to Alaska's land grant college in 1929, but even with this additional grant, the total was less than half of the original acreage authorized in 1915.

Further efforts to increase the size of Alaska's higher education Federal land grant were made from the 1930s through the 1950s. Several bills were submitted to Congress that would have reserved up to 10 million acres for Alaska's land grant college, but strong opposition, primarily from the Department of the Interior, doomed the effort.

Traditionally, the size of land grants were most often determined by a State's population, not by its area. Nevertheless, some of the last western States were given generous grants despite their sparse populations. For instance, Oklahoma and New Mexico each received about 1 million acres to support higher education. Alaska received less land specifically dedicated for the support of higher education than all but one of the contiguous States. Among the 48 States which had received Federal land or land scrip to establish land grant colleges, mining schools, teachers' colleges, and state universities, only Delaware received fewer acres than Alaska. Thus, after statehood, Alaska in 1959 was in an anomalous position. While the State had received more land and a greater percentage of land from the Federal Government than any other western State, it ranked next to the bottom of

the list in the amount of Federal land it had received for higher education.

Over the next 15 years, controversies regarding Alaska land matters continued to boil, as the public domain in Alaska was carved up for the first time. In 1971, Congress passed the Alaska Native Claims Settlement Act, reserving 44 million acres for Alaska Natives and opening the way for the construction of the Trans-Alaska Pipeline. The pipeline marked the start of a national conservation battle in the 1970s over the future of Alaska's lands, which culminated in 1980 with the passage of the Alaska National Interest Lands Conservation Act, a measure which added 104 million acres to the State's conservation systems.

Now, with many of the major Alaska land issues of the 1970s and 1980s settled, supporters of the University of Alaska have encouraged State and Federal officials to reexamine the question of the university's land grant and consider granting the school additional lands in order for it to "achieve parity" with higher educational systems in other States.

The legislation I am introducing today would achieve this. It would grant the University up to 350,000 acres of Federal land. It would do this on a matching basis with the State of Alaska for up to a total of 700,000 acres split equally between the state and Federal Government. In other words if Alaska were to grant the University 200,000 acres of State land, the Federal Government would grant them to 200,000 acres.

I believe this is a fair settlement to this issue. It addresses some of the needs of higher education in my State of Alaska and allows the State and the Federal government to participate in the fix equally. •

By Mr. JOHNSTON:

S. 1852. A bill to bar class action lawsuits against Department of Energy contractors for nonphysical injuries, to bar the award of punitive damages against Department of Energy contractors for incidents occurring before August 20, 1988, and for other purposes; to the Committee on Energy and Natural Resources.

#### THE DEPARTMENT OF ENERGY CLASS ACTION LAWSUIT ACT

• Mr. JOHNSTON. Mr. President, over the past 6 months, the Subcommittee on Oversight and Investigations of the Committee on Energy and Natural Resources has, under the able direction of Senator THOMAS, conducted an investigation into the management and cost of class action lawsuits against the contractors that operated the Department of Energy's nuclear weapon plants.

Senator THOMAS' investigation uncovered a serious abuse of the legal system that is costing the taxpayers tens of millions of dollars in lawyer's fees each year and could result in hundreds of millions of dollars in judgments or settlements even though